



## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

### Low Income Taxpayer Clinic Grant Program; Availability of 2023 Grant

### Application Package

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice.

**SUMMARY:** This document contains a notice that the IRS has made available the 2023 Grant Application Package and Guidelines (Publication 3319) for organizations interested in applying for a Low Income Taxpayer Clinic (LITC) matching grant for the 2023 grant year, which runs from January 1, 2023, through December 31, 2023. The application period runs from May 2, 2022, through June 16, 2022.

**DATES:** All applications and requests for continued funding for the 2023 grant year must be filed electronically by 11:59 p.m. (Eastern Time) on June 16, 2022. The IRS is authorized to award multi-year grants not to exceed three years. For an organization not currently receiving a grant for 2022, an organization that received a single year grant in 2022, or an organization whose multi-year grant ends in 2022, the organization must apply electronically at [www.grants.gov](https://www.grants.gov). For an organization currently receiving a grant for 2022 that is requesting funding for the second or third year of a multi-year grant, the organization must submit a Non-Competing Continuation Request for continued funding electronically at [www.grantsolutions.gov](https://www.grantsolutions.gov). All organizations must use the funding number of TREAS-GRANTS-052023-001, and the Catalog of Federal Domestic Assistance program number is 21.008, see [www.sam.gov](https://www.sam.gov). The LITC Program Office is scheduling a Zoom webinar for May 5, 2022 to cover the full application process. See [www.irs.gov/advocate/low-income-taxpayer-clinics](https://www.irs.gov/advocate/low-income-taxpayer-clinics) for

complete details, including any changes to the date, time, and the posting of materials.

**FOR FURTHER INFORMATION CONTACT:** Bill Beard at (949) 575-6200 (not a toll-free number) or by e-mail at [beard.william@irs.gov](mailto:beard.william@irs.gov). The LITC Program Office is located at: IRS, Taxpayer Advocate Service, LITC Grant Program Administration Office, TA: LITC, 1111 Constitution Avenue, NW, Room 1034, Washington, D.C. 20224. Copies of the *2023 Grant Application Package and Guidelines*, IRS Publication 3319 (Rev. 5-2022), can be downloaded from the IRS internet site at [www.irs.gov/advocate](http://www.irs.gov/advocate) or ordered by calling the IRS Distribution Center toll-free at 1-800-829-3676. (Note: the ability to mail out publications from the Distribution Center may be impacted by COVID-19 and staffing levels. If so, the publication may only be available online.) See, <https://www.youtube.com/watch?v=BAHNRTCi7MI> for a short video about the LITC program.

## **SUPPLEMENTARY INFORMATION:**

### **Background**

Pursuant to Internal Revenue Code (IRC) section 7526, the IRS will annually award up to \$6,000,000 (unless otherwise provided by specific Congressional appropriation) to qualified organizations, subject to the limitations set forth in the statute. Grants may be awarded for the development, expansion, or continuation of low income taxpayer clinics. For fiscal year 2022, Congress appropriated a total of \$13,000,000 in federal funds for LITC matching grants. See Consolidated Appropriations Act, 2022, Public Law No. 117-103, Division E (March 15, 2022). A qualified organization may receive a matching grant of up to \$100,000 per year. A qualified organization is one that represents low-income taxpayers in controversies with the IRS and informs individuals for whom English is a second language (ESL taxpayers)

of their taxpayer rights and responsibilities, and does not charge more than a nominal fee for its services (except for reimbursement of actual costs incurred).

Examples of a qualified organization include (1) a clinical program at an accredited law, business, or accounting school whose students represent low-income taxpayers in tax controversies with the IRS, and (2) an organization exempt from tax under IRC section 501(a) whose employees and volunteers represent low-income taxpayers in controversies with the IRS and may also make referrals to qualified volunteers to provide representation.

A clinic will be treated as representing low-income taxpayers in controversies with the IRS if at least 90 percent of the taxpayers represented by the clinic have incomes that do not exceed 250 percent of the federal poverty level, taking into account geographic location and family size. Federal poverty guidelines are published annually in the Federal Register. See, for example, 87 Fed. Reg. 3315 (Jan. 21, 2022).

In addition, the amount in controversy for the tax year to which the controversy relates generally cannot exceed the amount specified in IRC section 7463 (currently \$50,000) for eligibility for special small tax case procedures in the United States Tax Court. The IRS may award grants to qualified organizations to fund one-year, two-year, or three-year project periods. Grant funds may be awarded for start-up expenditures incurred by new clinics during the grant year. IRC section 7526(c)(5) requires dollar-for-dollar matching funds.

### **Mission Statement**

Low Income Taxpayer Clinics ensure the fairness and integrity of the tax system for taxpayers who are low-income or speak English as a second language by: providing *pro bono* representation on their behalf in tax disputes with the IRS; educating them about their rights and responsibilities as taxpayers; and identifying and advocating for issues that impact them.

## **Selection Consideration**

Despite the IRS's efforts to foster parity in availability and accessibility in the selection of organizations receiving LTC matching grants and the continued increase in clinic services nationwide, there remain communities that are underrepresented by clinics. Although each application and request for continued funding for the 2023 grant year will be given due consideration, the IRS is particularly interested in receiving applications from the following underserved geographic areas and counties that have limited or no service:

Arizona – Apache, Coconino, and Navajo

Florida- Baker, Bradford, Brevard, Citrus, Clay, Columbia, Dixie, Duval, Flagler, Hamilton, Hernando, Lafayette, Lake, Madison, Nassau, Orange, Osceola, Seminole, St. John's, Sumter, Suwanee, Taylor, and Volusia

Idaho - Ada, Adams, Bannock, Bear Lake, Bingham, Boise, Bonneville, Butte, Canyon, Caribou, Clark, Clearwater, Custer, Franklin, Freemont, Gem, Idaho, Jefferson, Latah, Lemhi, Lewis, Madison, Nez Perce, Oneida, Owyhee, Payette, Power, Teton, Valley, and Washington

Montana - Entire state

Nevada – Entire state

North Carolina- Alamance, Anson, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Caswell, Chatham, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Durham, Edgecombe, Forsyth, Franklin, Gates, Granville, Greene, Guilford, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Martin, Montgomery, Moore, Nash, New Hanover, Northampton, Onslow, Orange, Pamlico, Pasquotank, Pender, Perquimans, Person, Pitt, Randolph, Richmond, Robeson, Rockingham, Sampson, Scotland, Stokes, Tyrrell, Vance, Wake, Warren, Washington, Wayne, and Wilson

North Dakota - Entire state

Pennsylvania - Bradford, Clinton, Monroe, Northumberland, Pike, Snyder, Sullivan, Susquehanna, Tioga, Union, and Wyoming

Puerto Rico - Entire territory

In determining whether to award a grant, the IRS will consider a variety of factors, including: (1) the number of taxpayers who will be assisted by the organization, including the number of ESL taxpayers in that geographic area; (2) the existence of other LITCs assisting the same population of low-income and ESL taxpayers; (3) the quality of the program offered by the organization, including the qualifications of its administrators and qualified representatives, and its record, if any, in providing representation services to low-income taxpayers; (4) the quality of the application, including the reasonableness of the proposed budget; (5) the organization's compliance with all federal tax obligations (filing and payment); (6) the organization's compliance with all federal nontax monetary obligations (filing and payment); (7) whether debarment or suspension (31 CFR Part 19) applies or whether the organization is otherwise excluded from or ineligible for a federal award; and (8) alternative funding sources available to the organization, including amounts received from other grants and contributors and the endowment and resources of the institution sponsoring the organization.

Applications that pass the eligibility screening process will undergo a Technical Evaluation. Details regarding the scoring process can be found in Publication 3319. An organization submitting a request for continued funding for the second or third year of a multi-year grant will be required to submit an abbreviated Non-competing Continuation Request and will be subject to a streamlined screening process. The final funding decisions are made by the National Taxpayer Advocate, unless recused. The costs of

preparing and submitting an application (or a request for continued funding) are the responsibility of each applicant. Applications and requests for continued funding may be released in response to Freedom of Information Act requests. Therefore, applicants must not include any individual taxpayer information.

The LITC Program Office will notify each applicant in writing once funding decisions have been made.

**Erin M. Collins,**

*National Taxpayer Advocate.*

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